

REMARKS

Status of Claims

Claims 1-26 are pending in the present application. Claims 1-26 stand rejected. Claims 1 and 9 have been amended and claims 4 and 8 have been canceled by this amendment. Favorable reconsideration is respectfully requested in light of the following remarks.

Rejection Under 35 U.S.C. 102(b) – Goettmann

Claims 1-4, 8-9 and 13-19 stand rejected under 35 U.S.C. 102(b) as being anticipated by Goettmann (US 5,851,355).

The Examiner states Goettmann teaches a composite material comprising polymeric staple fibers, a first fiber consisting of, at least on part, of a thermoplastic binder material which melts at a temperature less than the melting point temperature of the polymeric staple fibers, and a second binder fiber consisting of, at least in part, of a second thermoplastic binder material which melts at a second melting temperature less than the first melting temperature.

The Examiner state that Goettmann teaches a composite material comprising a first polymer staple fiber with a denier in the range of 0.2 to 3.0 (diameter of 4.5 to 17.6 microns).

Applicants have amended claim 1 to clarify that the “the average fiber diameter of said fiber low melt bicomponent fiber, said high melt bicomponent fiber and said staple fiber is between about 18-22 microns” as claimed in claim 4 (canceled herein). No new matter has been added and Applicants submit that no further searching is deemed to be required. Nowhere does Goettmann teach or suggest fibers having Applicants’ claimed fiber diameter. Goettmann specifically teaches fibers with a denier in the range of 0.2 to 3.0 (4.5 to 17.6 microns).

Claims 2-3, 8-9 and 13-19 ultimately depend from newly amended claim 1 and contain the limitations thereof. Accordingly, Applicant respectfully submits that Goettmann does not anticipate the present invention and Applicant respectfully requests that the rejection of claims 1-4, 8-9 and 13-19 be withdrawn.

Rejection Under 35 U.S.C. 102(b) – Nagata et al.

Claims 1, 13, 17 and 20 stand rejected under 35 U.S.C. 102(b) as being anticipated by Nagata et al. (US 6,165,921).

Applicants have amended claim 1 to include the limitations of claim 9 which claims that the “low melt and high melt bicomponent fibers are a concentric sheath/core CoPET/PET”. No new matter has been added and Applicants submit that no further searching is deemed to be required. Claim 9 has been amended to properly depend from claim 1. Nowhere do Nagata et al. teach or suggest that the low melt **and** high melt bicomponent fibers are a concentric sheath/core CoPET/PET.

Claims 13, 17 and 20 ultimately depend from newly amended claim 1 and contain the limitations thereof. Accordingly, Applicant respectfully submits that Nagata et al. does not anticipate the present invention and Applicant respectfully requests that the rejection of claims 1, 13, 17 and 20 be withdrawn.

Rejection Under 35 U.S.C. 103(a) - Goettmann

Claims 5-7, 10-12, and 21-26 stand rejected under 35 U.S.C. 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Goettmann.

As stated above, nowhere does Goettmann teach or suggest Applicant's claimed invention, as amended. Claims 5-7, 10-12, and 21-26 ultimately depend from newly amended claim 1 and contain the limitations thereof. In view of the above amendment and arguments, Applicant respectfully request that the 103(a) rejection of claims 5-7, 10-12 and 21-16 be withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that claims 1-3, 5-7 and 9-26 are allowable. The Examiner is invited to telephone the Applicants' undersigned agent at (740) 321-7213 if any unresolved matters remain.

If any questions should arise with respect to the above Remarks, or if the Examiner has any comments or suggestions to place the claims in better condition for

allowance, it is requested that the Examiner contact Applicants' agent at the number listed below.

Applicant authorizes any fees required pertaining to this response be charged to Deposit Account No. 50-0568.

Respectfully submitted,

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